

House Committee on Tourism, Outdoor Recreation, and Natural Resources

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Dear Honorable Representatives:

My name is Joel Fulton, President of Freedom Firearms in Battle Creek, Michigan and a Federally Firearms Licensed facility (FFL Dealer) through the Bureau of Alcohol, Tobacco, Firearms, and Explosives. I bring this testimony before you today to advocate for the repeal of the "Safety Inspection" of handguns here in the State of Michigan.

First, it is not a safety inspection. In fact, on the back of the RI-11 form it specifically states as follows:

"A cursory inspection has been made of this pistol presented. A check for operational or mechanical defects **has not been made** of this pistol." [emphasis added]

Since this is a safety inspection that does not check for safety, and the serial number, make, and model of the gun are all recorded along with the purchaser's personal information, it can only be concluded that the intent of this law is registration of firearms. In fact, the Michigan State Police website no longer even tries to call it a safety inspection and simply calls it "Firearms Registration" (Please visit http://www.michigan.gov/msp/0,1607,7-123-1591_3503_4654-138642--,00.html).

The registration of handguns in Michigan is a redundant and unnecessary expense and duplication of effort. Although there is supposed to be no charge for purchase permits or safety inspections due to the repeal of this fee in 2001, many local jurisdictions continue to charge fees for this "service" under the guise of a notary fee. Until six weeks ago, Battle Creek Police Department was charging \$15 for purchase permits, \$5 for each signature on the three part form. They did this for eighteen months and it required the involvement of the Attorney General of the State of Michigan as well as vocal opposition from a local official (City Commissioner Mark Behnke) before this practice was finally stopped.

Further this is an unnecessary duplication of effort and expense for our local police departments and our State Police Headquarters. Since registration is obviously the goal of this law, it is the tracing of the firearm that we are trying to achieve. Allow me to explain how a gun used in a crime is traced. First the make, model, and serial number of the gun are determined. The manufacturer is then contacted with this information and the manufacturer informs authorities where this gun was sent to from the factory, usually a firearms distributor. The distributor is then contacted and they check their

records and inform the authorities as to which firearms retail store they sent the gun to. The FFL Dealer is then contacted to check their records and find out to whom the gun was sold. As an FFL Dealer, I would then check Firearms Transaction Record Part 1 – Over-the –Counter (ATF Form 4473) Forms to find out who I sold the gun to. A 4473 form is filled out for every firearm (handguns and long guns) sold out of an FFL Dealer's facility. These records are required to be kept indefinitely. At any time that an FFL Dealer goes out of business or surrenders their Federal Firearms License, the records must be returned to the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Once the police know who originally purchased the gun, they would then contact that person and find out if they still have the gun, to whom they may have sold the gun, or if the gun was stolen from them. As you can see, the registration of handguns by the State of Michigan is a huge duplication and a waste of our law enforcement resources.

But why would this bill have come before a committee on Tourism and Outdoor Recreation? Because currently, due to the way this law has been written, visitors to our state cannot bring handguns to our state unless they have a license from their state of residence to carry a concealed firearm or they can be charged with a misdemeanor crime of failure to have a handgun safety inspected. Of course, they cannot have a handgun safety inspected in the State of Michigan because they are not Michigan residents. Therefore, we are unable to draw in many hunters who would come to our state to hunt with a handgun and many competitors who would come to our state to participate in competitive handgun shooting. In fact, because of this, Michigan has not been chosen as a venue for some of these competitions because of this very law. We are losing tourism dollars because we are overspending on a function that is already being done for us by the Federal Government.

I would urge you to send this bill out of committee to the House Floor with a recommendation that it be passed.

Sincerely,

Joel E. Fulton